

MGR. MAHON'S PAPERS SEIZED

MAYOR TOLD OF QUEER DENIALS BY COMPTROLLER'S MEN.

Inquisition into Catholic Institutions Represented to Him as Extraordinary.

"When You Give to the Pope, How Do You Make Out the Check?"

Mayor Gaynor threw some light yesterday on the grievances which, as he recently announced, disposed the Catholic orphan asylums to refuse to receive children committed by the city. It was understood that their objection was the inquisition into their general affairs to which they were subjected by the Finance Department.

The Mayor cites some extraordinary instances of this of which he has been informed, one of which was that agents of the Comptroller and of President Mitchell of the Board of Aldermen went to the house of Mr. McMahon, chief supervisor of Catholic charities, while he was in Europe and that one of them opened Mr. McMahon's private desk, took out bundles of papers, checks and vouchers and said he was going to take them away, but was prevented by a threat of Mr. McMahon's assistant, the Rev. Samuel Ludlow, to call the police.

The Comptroller and President Mitchell would say nothing yesterday about the matter, but promised to say something to-day.

The Mayor's statement is in the form of a letter to Thomas M. Mulry, a prominent Catholic and a member of the State Board of Charities, who wrote to ask what had been done with the charge that the Rev. D. C. Potter, who as an official of the Finance Department had had the apportioning of the funds which the city gives to charitable institutions, was to have been the recipient of a fund to be raised by the Catholic institutions for his benefit. The Mayor says:

About one year ago my attention was called by the Comptroller to an endorsement on a voucher of the Catholic Mission of the Virgin on Staten Island which indicated that a fund of \$5,000 was being raised by the Catholic charitable institutions of the city which were receiving city money to be presented to Dr. Potter, who was an auditor in the Comptroller's office of the accounts of the said institutions.

I immediately placed the matter in the hands of the Commissioner of Accounts to investigate it. The bookkeeper of the mission testified that he made such endorsement by direction of the Rev. M. J. Fitzpatrick. Father Fitzpatrick testified that he was informed by the Rev. Dr. McMahon, the head of the Catholic charities in the diocese of New York, that a mission was on foot to raise a fund to help Dr. Potter, as he was in financial straits, and that he (Father Fitzpatrick) had paid \$200 to Dr. McMahon for that purpose, as he said mission's share of such fund.

Dr. Potter testified that he never received directly or indirectly any sum of money from the Catholic institutions of the city, and that he had never heard of any movement to raise any such fund. The Rev. Mr. McMahon was absent in Europe for his health. On his return he fell he testified that such a fund had been proposed for Dr. Potter, and that he received the \$500 from the said mission for that purpose, but that afterward, under heads bearing of the mission, the plan was approved and discontinued, and the money was not sent to Dr. Potter.

I instructed the Commissioner of Accounts to still keep the case open to receive any other testimony in the matter which might be brought forward, but none has appeared.

Meanwhile, namely, on June 17, 1910, the Comptroller had a resolution passed in the Board of Estimate and Apportionment, and Mr. Mitchell, President of the Board of Aldermen, should order an investigation of the relation of the city of New York to the Catholic institutions of every religious denomination receiving city money to pay the charges of city inmates and requiring the city to pay the charges of city inmates and requiring the city to pay the charges of city inmates.

A short time thereafter a complaint was made to me that the agents sent by the Comptroller and the President of the Board of Aldermen to make such investigation were asking all sorts of questions and treating the Sisters of Mercy at the institution at the corner of Willow Avenue and Madison Avenue in Brooklyn with disrespect. I paid money to Bishop McDonough, whether they paid money to the pastor of the church near their place, whether they paid money to Archbishop Farley, and also the following question:

"When you give a contribution to the Pope how do you make out the check?"

I immediately told the Commissioner of Accounts that I could not enter into such an investigation as these questions indicated, and instructed him to have nothing more to do with the investigation being conducted by the Comptroller and Mr. Mitchell.

A short time thereafter complaint was brought to me that these same agents of the Comptroller and Mr. Mitchell, who called at the residence of Father McMahon, head of the Catholic charities, who was still in Europe, and that while one of them was engaged in conversation with the father, the other went into McMahon's assistant's desk and took out of it bundles of papers, checks and vouchers and said he was going to take them away, and that he was prevented by the Rev. Mr. Ludlow, who threatened to call the police.

I again told Mr. Fosdick to have nothing more to do with the investigation, and he assured me that he had had nothing to do with it, and would not, and he has had nothing to do with it.

Other similar complaints were made. The objectionable questions to which I have referred were sent to me in the hands of the Comptroller and Mr. Mitchell, and I have no more to say on the subject.

THE WEATHER.

April 4. So far as disturbing elements were concerned the storm had entirely disappeared in the Gulf of St. Lawrence yesterday. It was followed by an area of high pressure which covered all the eastern coast of the Rocky Mountains except New England.

Temperatures were lower in all the Atlantic States, the St. Lawrence Valley and the maritime provinces and were below freezing in northern and western New York, the northern parts of the Lake region, Minnesota and the Dakotas.

Snow had fallen in parts of northern Pennsylvania, New York and New England and frosts occurred in the Dakotas, the northern Mississippi Valley and the Lake region and the Ohio Valley. Areas of depression covered the Rocky Mountain States and the Pacific States, the Rocky Mountains and the northern Pacific States. It was cooler in the Gulf States, but throughout the central and northern States and the North-west it was fair and cooler, with light to moderate westerly winds.

For the District of Columbia, eastern Pennsylvania, New Jersey, Delaware, Maryland and Virginia, fair to clear and warmer, with light to moderate westerly winds.

For western New York and western Pennsylvania, fair, with slightly rising temperature to-day and to-morrow, light variable winds.



Royal Bengals Cigars

Their quality, convenience, size and price, satisfy all smokers.

A Box of 10 for 15 Cents

Get them—INSIST if you must—but get them

J. J. SHUBERT HELD.

Will Be Tried in Special Sessions on Charge of Throwing Girl's Assault Charge.

Jacob J. Shubert, the theatrical manager, was made a prisoner and arraigned in the West Side court yesterday afternoon on a charge of assault made by Peggy Forbes, formerly a show girl in the Winter Garden. Magistrate Murphy held him in \$500 bail for trial in Special Sessions.

Miss Forbes, whose name of the stage is Marie Taylor Barnett, says that Shubert on March 23, following a matinee performance, struck her several times in the face with his fist after inviting her to his office and that she had to be attended by a physician. Magistrate Barlow originally granted her a summons for Shubert and since then Magistrate Murphy has been holding hearings.

Miss Forbes says that the Winter Garden was her first place of employment on the stage. According to her lawyer she is a descendant of President of the United States Zachary Taylor.

Other than her lawyer, Miss Forbes had no witness at the hearing. Half a dozen show girls, the assistant stage manager, James Lester, and the property man, Jacob Flamm, appeared for Shubert at the last hearing. One of the girls insisted that Miss Forbes brought whiskey to the dressing room. Other girls said Miss Forbes was attacking the manager with a hatpin when they arrived.

Magistrate Murphy said: "I have read all the evidence carefully and I feel compelled to issue a complaint against Mr. Shubert for simple assault. It was originally agreed that the evidence taken on the preliminary hearing would stand in case of a complaint, so I hold the defendant in \$500 bail for trial. On reading the evidence I find that I can believe the testimony of only two of the witnesses for the defense and they testified they were not present. The others, I feel, I cannot believe."

The National Surety Company furnished the bail.

SHE'S A COSMOTHERAPIST.

And Is Arrested for Tinkering with a Woman Detective's Spine.

Mrs. Alma Cusian Arnold, who lives and has an office at the Nevada apartment, Broadway and Seventieth street, was taken to the West Side court yesterday charged with illegally practicing medicine. Her science is "cosmotherapy," a treatment of the spine.

Mrs. Frances Benzery, sometimes known as Belle Holmes, an agent for the County Medical Society, was the complainant. She visited Mrs. Arnold on April 25.

"You are suffering from anemia," said the cosmotherapist, rubbing behind the patient's ears. "You have catarrh," and she pressed the nose so hard that tears came to the investigator's eyes.

Her charge for a full treatment was \$50 a month, sometimes \$100, but Mrs. Benzery wanted to pay for individual treatments so she paid \$5, and after having her spine examined promised to call again. Yesterday she called with a detective and a warrant.

Laywer John J. Dyer for the County Medical Society put in evidence a booklet got out by Mrs. Arnold which said the healer "was once a chronic invalid in vain search of health and gave years of study and close investigation to the known method of healing, but the stubborn ailment yielded only to the scientific adjustment of the spine (cosmotherapy) and its adjuncts, hygiene and dietetics."

The booklet also says that her complete restoration to health and strength brought the resolution to devote her life to the relief of suffering humanity and to teaching this harmless and simple yet revolutionary method of successfully treating disease.

Her secretary, Mrs. Minnie Radley, testified that Mrs. Arnold is a graduate of the American College of Chiropractic of Cedar Rapids, Ia. The booklet announces her as the president of the Columbia College of Chiropractic.

Magistrate Murphy adjourned the case for further hearing on Monday and held Dr. Arnold in \$500 bail, which was furnished.

TONNAGE TAX ON YACHTS.

J. G. Bennett's, Mrs. Goetz's and C. Ledyard Blair's Escape It.

In the yacht tonnage tax cases which were recently tried without a jury in the United States Circuit Court Judge Hough yesterday ordered judgment in favor of James Gordon Bennett, Mrs. Robert Goetz and C. Ledyard Blair, and against Cornelius K. G. Billings, H. Clay Pierce, Roy A. Ramey and the investors, and against the other next defendants, the estate of Bennett Goetz and Blair Judge Hough holds that their yachts were never permanently used in this country and that they were not domiciled abroad, wherefore the yachts are not subject to the tonnage tax.

The tonnage tax levied against Cornelius K. G. Billings' yacht Yandias is \$7,414; that against the Pierce yacht Yandias is \$3,482; and that against the yacht Alitira, which was originally owned by J. H. Flagger, \$504. The Alitira was turned over to the investors and Traders Realty Company in a real estate deal.

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RESTIVE OVER PATRONAGE

DEMOCRATS LIKE KENNEDY ABOUT GOV. DIX'S PROGRAMME.

Expect Income Tax Amendment to Be Passed in the Assembly Indifferent Toward Direct Nominations Bill Bar Association Consulted About Judge.

There were talks yesterday between Charles F. Murphy and his friends, some in New York city and some in Buffalo, over the proposed adjournment of the Legislature on May 10. At first guess it had been thought that the Legislature could not possibly leave Albany much before July 1, or certainly not earlier than the middle of June. But the situation has changed to some extent and the indications are that there will be no necessity for keeping the Legislature in session much beyond May 10, if it does not actually adjourn on that date.

There seems to be a lukewarm feeling over the proposal to consolidate the Forest, Fish and Game Department of the State with the State Water Supply Commission, creating a conservation department. There is also less keenness in the advocacy of highway legislation and there appears to be indifference as to whether the present direct nominations bill should be supported. It is apparent, also, that the Senate Finance Committee need not be in any hurry to report favorably on the nomination of George C. Van Tuyl, Jr., of Albany to be Superintendent of Banks. The committee did not do so yesterday.

Neither will there be any hurry, it is stated, to confirm the nomination of Thomas Mott Osborne to be Superintendent of Prisons should that nomination be made for the reason that Mr. Osborne has given most of the patronage of the Forest, Fish and Game Department to Democrats not particularly friendly to the State organization, and there is little desire to give him the opportunity to treat the Democratic State organization to a similar experience in the Prisons Department. The majority at Albany and Mr. Murphy and his friends in New York city are becoming somewhat restive over the distribution of patronage and important nominations made for public office under the State administration.

Little doubt was expressed yesterday by Democrats who spoke of the matter that the proposed Federal income tax amendment passed by the Senate will be defeated in the Assembly.

Gov. Dix sent down from Albany yesterday the names of thirty-four New York city lawyers from which the Bar Association is to make recommendations for the single place on the Supreme Court bench made vacant by the election of James A. O'Gorman to be United States Senator.

LUTHER TO CHARLES V.

Letter Describing Diet of Worms Sold to Agent of J. P. Morgan for \$20,400.

Special Cable Dispatch to THE SUN. LEIPZIG, May 3.—At a sale of autograph manuscripts here to-day a letter from Luther to Charles V. sold for \$20,400. The purchaser was Marini of Florence, who was said to be bidding for J. Pierpont Morgan.

The letter was the most important one Luther ever wrote. In it he described to the Emperor the proceedings of the Diet of Worms in 1521, which decided the fate of the Reformation in Germany. The letter never reached Charles V., as Luther was arrested shortly afterward and no one ventured to present it to the Emperor.

A letter from Luther to Katharina von Bora, the nun whom he married, and which was addressed to her as "Sister Christine," sold for \$1,400.

LABORERS VOTED DOWN.

Asquith Beats His Allies' Amendment to Lords' Veto Bill.

Special Cable Dispatch to THE SUN. LONDON, May 3.—The anti-Lords veto bill passed through the committee stage to-night. The Labor amendment to the preamble was defeated by a vote of 218 to 47.

It is expected that the bill will go to the House of Lords next week.

SEPARATE IN PEACE.

The Whites Can't Live Together, but They Admire Each Other.

Archibald S. White, who began two days ago a suit for divorce against his wife, who was Olive Celeste Moore of the Bostonians Opera Company, was at the pier of the Cunarder Mauretania yesterday morning to give her good-bye. On the night before they had dined with a large party of friends at the Plaza, where they had been stopping. Mrs. White said at the pier that she and her husband were the very best of friends, notwithstanding their intention to separate. She admitted that she was going away because she could not stand the atmosphere of Cincinnati, where Mr. White is interested in realty, gas, electric light and trolley corporations.

Husband and wife both said that their trouble was due to divergent temperaments. Mrs. White wants to live in Europe and Mr. White is satisfied with Cincinnati, where his business and social interests are, and so they agreed to shake hands and part, good friends. Each declared that the other was the best ever, but Mrs. White said she could not stand Cincinnati, as it lacked the artistic atmosphere. She will be supported by her husband while abroad.

James P. McDonald, contractor and railroad builder, was directed yesterday by Supreme Court Justice Bischoff to pay \$200 a month alimony and \$500 a year for his wife, Edith, pending her suit for a separation. Since Mrs. McDonald began her suit she has been occupying the same suite at the Hotel Pellicola as her husband.

McDonald built the railroad across the Andes and now has exclusive concessions from Hayti for a railroad, telephones and telegraphs and for the exporting of bananas.

MUST RAISE \$10,000 TO-DAY.

That Amount Is Needed to Secure Pledge to Y. W. C. A. Fund.

The fund for the new working girls' boarding house being raised by the Brooklyn Y. W. C. A. in a twelve day campaign last night had reached \$350,852 of the \$450,000 needed by 12 o'clock to-night. Yesterday \$11,842 was raised by the five committees. A little over \$40,000 will have to be collected to-day.

A special fund of \$17,500 held by the trustees of the Y. W. C. A. for the sale of some property which had been used for a working girls' club has been added to the general fund.

FINDS HIS WIFE MURDERED

THROAT CUT IN BASEMENT AND KNIFE RETURNED TO DRAWER.

Apartment Janitress Apparently Was Attacked as She Was Cleaning Vegetable Trunk in Basement of 11 Unit. Husband Came Home at Night.

Stephen Molnar, a young piano maker living in the basement of the flat house at 528 West 123d street, returned home from work last night to find the tenants objecting because his wife, the janitress, had not lighted the gas in the hall and had neglected the garbage. The tenants said they had called to her until they were hoarse but she didn't answer.

Molnar went into the basement and then ran back up the stairs crying that his wife had been murdered. He had found her body lying on the kitchen floor face up. Her throat had been cut twice on the right side from the middle of the throat to the ear. A third wound was between the eye and ear, also on the right side of the head. It looked as if the janitress had been attacked in the kitchen by a man who had slashed at the woman's throat and her first blow had missed.

The woman's hair was disheveled and some had been pulled out. Her clothing was torn. The body lay close to a chair by the kitchen table. On the table was a pan of vegetables which she had started cleaning with a knife. The police found a small sharp knife in the hall in the preparation of vegetables for the table in a drawer a few feet away. It was stained with blood. The drawer was nearly closed. While the wounds might have been inflicted, the police say, they do not believe that in that case the knife would have been returned to the drawer.

The Molnars' husband and wife were born in Hungary. They were married here last August. Mrs. Molnar was 23 years old. Molnar is employed by West Bros., piano manufacturers, at 530 West Forty-third street. According to the story he told the police, Molnar left the factory after finishing his work at 5 o'clock yesterday afternoon and went directly to 330 West End avenue to meet Louis Harra, a friend of his, in the building at that address and a friend of Molnar's. Harra, Molnar says, had promised him a rocking chair. Molnar and Harra left the West End avenue address at 7 o'clock, and Molnar, who lives at the rear of the ground floor, said that he had seen a man in the yard about 4 o'clock or a little after. The man was a stranger in the house, Mrs. Molnar was sure, and had no hat.

There was evidence of a struggle, the detectives believed. Mrs. Molnar's spectacles were bent and one of the lenses was broken. There seemed to be no evidence of robbery.

On the floor the police found a side comb which Molnar said did not belong to his wife.

The tenants heard no sound from the basement.

Coroner Holtzhauser questioned the husband and Harra last night. The husband told of an Italian waste paper dealer who had been to the building on several occasions and who about two weeks ago had affronted Mrs. Molnar. She had locked herself in her room. The man had not been seen about the building since.

Molnar said that when he went to the basement last night the kitchen door was locked and the key was in the door on the outside.

The police found on the floor of the kitchen a button such as is used on jumpers. This button was unlike any on Molnar's clothing.

CARPENT AT TAFT'S SPEECH.

British Unionist Asks If Reciprocity Remark Was a Blazing Indiscretion.

Special Cable Dispatch to THE SUN. LONDON, May 3.—The reciprocity agreement between the United States and Canada was brought up in the House of Commons again this afternoon. John Norton Griffiths, Unionist member for Wexham, repeated his question to the Foreign Office asking if its attention should be called to the speech at the banquet of the American Publishers Association, in which he urged his hearers to advocate reciprocity with Canada before a system of preferential tariffs had bound the British Empire together.

This question was asked on Monday, but Premier Asquith declined to answer until it had been put on paper in the regular manner. McKinnon Wood, Parliamentary Secretary to the Foreign Office, in replying to-day said the Government saw no grounds for making representations to the United States on the subject.

Mr. Newman, Unionist member for the Enfield division of Middlesex, asked if the Foreign Office regarded the speech of President Taft on the occasion referred to as being in the nature of a "blazing indiscretion."

McKinnon Wood replied that he thought the remark of the member from Middlesex an extremely improper one.

WRANGLES OVER PEACE PACT.

Alleged Treaty of Proposed Anglo-American Treaty Printed and Denied.

Special Cable Dispatch to THE SUN. LONDON, May 3.—Rival versions of the projected arbitration agreement with the United States are producing the most unpeaceful insinuations in the columns of antagonistic newspapers. A forecast printed in the *Leader* yesterday was promptly contradicted by the *Mail* as spurious, and the *Leader* to-day is forced to admit that the article was not its own, but an elaborated statement of Ambassador Bryce's views submitted to Secretary Knox.

The *Leader* is nevertheless greatly comforted by a version which tallies with its own, although the *Mail's* Washington correspondent says that President Taft and Secretary Knox authorized him to pronounce it not only a complete invention but an execrably bad one.

ITALY BUYS ART COLLECTION.

Julius Samson's Theatrical Pictures to Be Exhibited at La Scala.

Special Cable Dispatch to THE SUN. PARIS, May 3.—After two days sale the collection which Julius Samson spent four years in bringing together was dispersed to-day. It was composed of the most part of pictures, miniatures and porcelains connected with theatrical history.

The Italian Government, which already had been the chief buyer, purchased the remainder of the collection, thus annulling the remaining five days of the sale which had been announced. The two days had realized \$37,337.

The most sensational price of the sale was paid for a picture of Giuseppe Grassini by Quaglia, four inches by three. The Italian Government will exhibit the collection at La Scala in Milan.

PORTUGAL WARLIKE.

Proposes to Spend \$120,000,000 on New Ships and Coast Defences.

Special Cable Dispatch to THE SUN. LISBON, May 3.—The provisional government, desiring to improve the navy, has let contracts for a number of vessels to English concerns. Contracts have also been let for the construction of fortifications on the hills about the city.

It is estimated that the work will cost \$150,000,000.

Swiss Carnegie Fund.

Special Cable Dispatch to THE SUN. GENEVA, May 3.—It is reported in the newspapers here that Andrew Carnegie has given \$125,000 for a Swiss fund. The fund is to be established on the same basis as those in other countries.

A sale that ought to be over in ten minutes!

200 Men's Auto Dusters (value 7.50) at 3.95

Today and Tomorrow

When you buy a 7.50 duster at Saks' you are getting the best value obtainable, because an Auto Apparel Department so pre-eminently in advance of all others can assure you of the finest at the lowest possible prices.

But when you buy a Saks' 7.50 duster for 3.95, you are buying the greatest duster value ever offered anywhere.

And to be perfectly candid with you, this sacrifice is more philosophic than philanthropic. For, you who drop in only long enough to buy one of these dusters for 3.95 will surely buy at Saks' again.

And many who come only for a duster will remain to buy a robe, a pair of goggles possibly or one of our exclusive auto coats. And none but will remark the wonder of our auto apparel facilities and the magnificence of our stocks.

In any event, what are a few dusters between friends?

Mohair, Sicilian and Belfast linen Dusters. All double-breasted models, slash inlaid pockets, and a flap inlaid breast pocket, wind shields and large pearl buttons. The Irish Linen model has also a deep waist belt. Don't fail to get one of these splendid dusters, for they are great values at 3.95.

Wardrobe Trunks—at Saks'

In that tough and hide-bound world of fibre, steel and rivets, these two things have been established beyond all peradventure—

First, that the Wardrobe Trunk offers the traveler the greatest degree of comfort, convenience and utility—that it is literally a valet at his heels.

Second, that the greatest values, in the greatest variety of models, and in the greatest number of the finest makes of Wardrobe Trunks—are at Saks'.

They enjoy a monopoly of space in our entire Travel Department; they pyramid round steel columns, line the aisles, bank the walls, buttress the counters and even encroach upon the stairway! Nowhere else is there such a magnificent Wardrobe Trunk display or better values.

Just think of the advantage to you of selecting a Wardrobe Trunk from such an exhaustive stock as the following:

Mendel Wardrobe Trunks	41 models	36.00 to 150.00
Hartman Wardrobe Trunks	10 models	55.00 to 85.00
Drucker Wardrobe Trunks	10 models	45.00 to 75.00
Likly Wardrobe Trunks	6 models	38.00 to 65.00
Murphy Wardrobe Trunks	6 models	55.00 to 75.00
Saks Wardrobe Trunks	2 special models	both at 27.00

And every other requisite of travel—dom on a corresponding scale.

Broadway **Saks & Company** at 34th Street

FOR STEADY CABLE SERVICE.

Theodore S. Vail Tells of Deal Between Anglo-American and Western Union.

Special Cable Dispatch to THE SUN. LONDON, May 3.—Theodore S. Vail, president of the American Telegraph and Telephone Company, sailed to-day for America on board the steamship Adriatic. Before leaving he said that an understanding had been reached between the Western Union and the Anglo-American companies whereby one cable owned by the Western Union and two leased wires would in the future be worked interchangeably with the four Anglo-American wires when necessary and a closer and more direct connection between the Anglo-American and the Western Union and its associates in the United States and Canada would be maintained.

The object of this arrangement, he said, is to provide steady and uninterrupted communication between Great Britain and the United States. The ownership and organization of the Anglo-American service remains British, and the British Postmaster-General will fix the rate for the few hours that will suffice for the transaction of the regular business.

Because the cables will remain idle for the balance of the twenty-four hours, the Postmaster-General is considering a rate modification for deferred service. This may resemble somewhat the Western Union's night letter telegram.

The Anglo-American company owns four cables and the Western Union one, while the latter leases two and has heretofore had a working agreement with the Direct Cable company's one line. It is significant that Mr. Vail does not include the Direct Cable company in his account of the new deal.

VIVIANI TO BE SENATOR.

Former Socialist Minister of Labor to Go Into French Upper Chamber.

Special Cable Dispatch to THE SUN. PARIS, May 3.—The ultra-socialist paper *Humanite* announces that Rene Viviani is to be a candidate for the Senate in January next from the Department of the Creuse. He is now a Deputy for the Seine. One of the present Senators will retire in his favor.

Viviani was the first Minister of Labor when Clemenceau formed his ministry and he was in Briand's first Cabinet. It is said that he will be the first Socialist Senator.

He is an Independent Socialist and is reputed to be a millionaire.

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